CAN Vessels. New-Orleans, Tuesday, March 20, 1860. Miramon commenced the siege of Vera Cruz on the 5th inst. On the 6th two steamers appeared before the city and referred to show their colors. Com. Jarvis, therefore, ordered the Sa atoga, with detachmen a from the Savannah and Proble, on the steamers Indianola and Wave, to proceed to the anchorage and ascertain the character of the two steamers. As the Saratogs, to wed by the Indianola, approached them, they tried to escape, were too late. Capt. Turner then sent a boat with a flag to demand the nationality of the steamers, when the boat was fired upon twice; whereupen the Saratogs fired a broade'de into the Gen. Miramon, and the action became general. Both steamers now hoisted the Spinish flag, and after a spirited engagement Marin surrendered, and, with most of his men, was taken prisoner. The American loss is but three wounded, one of whom is mortally. The Mexicon loss is fifteen killed and twenty to thing

Miramon paid \$55,000 for the two steamers.

Marin's steamers passed by all the foreign squadrons and the Castle without hoisting a flag, although ordered b do so by a shot from the Castle, and other signals. The English, French, and Spanish vessels of war did pt notice the fact.

The engagement took place by moonlight.

The prisoners corroborate the report in relation to the steamers, that they cleared from Havana as merchantmen, and hoisted the Maxican flug only after they left that port; and subsequently mounted six guns.

Letter of the Hon. Edward Bates.

Letter of the Hon. Edward Bates.

St. Louis, Thesday, March 20, 1860.

The Hon Edward Bates has addressed a letter to he Missouli delegates to the Chicago Convention in reply to interrogatories propounded to him by them, it will appear in The Democrat to-merrow. The main points of it are as follows: He has no new opinions upon the subject of the extension of Slavery, and has formed none with reference to the present array of parties. He is coeval with the Missouri question of 1820; he formed his opinions then, and has not changed them since. At the time of the Revolution and long after, Slavery was regarded as an evil, but temporary in its nature, and likely to disappear in the course of time. Yet while it continued it was a misfortune to the country socially and politically. Slavery is a social relation—a domestic institution. It exists by local law The Federal Government has no control over it in the States, but the Territories are subject and subordinate to the Government—they not being supreme like the States. The nation is supreme over them. He is opposed to the extension of Slavery, and in his opinion the policy and spirit of the Government ought to be against its extension. Ine Constitution does not carry Slavery into the Territories, nor anywhere. It only acts upon it where it is established by local law The Dred Scott decision only decides that Dred Scott was not a citizen, and the opinions of the Judges beyond this are extra judicial, and of no authority. The questions discussed by them were political, and not within their cognizance, and belong and could be disposed of only by the political departments. The discussion was most unfortunate, as it produced a dangerous conflict between the coordinate branches of the Government. He favors the celonization of the ree blacks in the American rovies, the Homestead bill, the immediate admission of Kaneas, a perfect equality of rights among cilizers, and the construction of the Pacific Railroad, ander the suspices of the Government. He has neither sought nor h

Fires.

MILWAUKEE, Tuesday, March 20, 1860.

Are broke out at 12 o'clock to-day on the corner of Wier and Wisconsin street, making a clean sweep of all he wooden buildings, fifeen in number, between thusorner and the Newhall House. The total loss will not nobably exceed \$10,000.

thmeorner and the Newhall House. The total loss will not no bally exceed \$10,000.

HARRISBURG, Pa., Tuesday, March 20, 1860.

McKeller's State Capital grist-mills were entirely deroted by fire last night. Loss heavy.

Chicago, Tuesday, March 20, 1860.

A fire occurred at Black River Falls, Wisconsin, on anday morning, destroying forty-three buildings, nong which are the Shanghae House, the office of the Jackson County Farmer, all the stores in the win, excepting one, belonging to T. T. Parsons. As as fire was discovered in two places at the same time, is supposed it was the work of an incendiary. Loss stimated at from \$30,000 to \$40,000.

Murder Trial.

Norrolk, Tuesday, March 20, 1860.
The trial of Land, for the murder of Flannigan i Princess Anne County, is progressing. Ex-Gov. Wise nade a very powerful and eloquent speech, in favor of change of venue, but it was refused.

Loss of the Propeller Sofia.

The propeller Sofia, of Philadelphia, with a valuable cargo, was lost on the 15th inst. on the coast of Texas. There was a heavy sea running, and the sails were hoisted, but the propeller prevented her steering, and she went ashore.

Wreck of the Steamship Commerce. ALL HANDS SAVED.

PHILADELPHIA, Tuesday, March 20, 1860. The bark A. A. Herbert, at this port from Cardenas, fell in with the steamship Commerce, from New-York, bound to Galveston, on the 14th inst., in distress and annuageable. While lying to, to render assistance, the steamer came in collision with the bark, carrying away the latter's mainsail and bulwarks, and doing other damage. During the night the bark other damage. During the night the bark rescued 22 persons, being all hands, and including three passengers. In the morning the gale moderated, when she took the previsions and baggage and left the Commerce settling last, with nine feet of water in her hold.

Loss of the Bark Swann.

Norrolk, Tuesday, March 20, 1860.

The bark Swann is assore at Cape Henry. Five men on board of her, who, at one time, were in a very perilons situation, were saved. The cargo is a total

Navigation Northward, &c.

TORONTO, Tuesday, March 20, 1860. Steamers commenced their regular trips between Toronto and Niagara to-day. Kingston narror is nearly clear of ice. A steamer crossed to St. Vincent yesterday. Considerable ice still remains in the Bay at Hamilton, but it will likely be all out in a day or Niagara to-day.

Burning of the Steamer Eastern

Queen. Wiscasset, Mr., Toesday, March 20, 1860. The steamer Eastern Queen, employed on the route between Boston and the Kennebec River, was totally destroyed by fire this morning. She was owned by Nathaniel Stone, Isauc Rich, and George Bacon of Boston, and Wm. Bradstreet and Nathaniel Kimball of Gardiner. The loss is estimated at \$75,000.

THE UNIVERSITY LAW SCHOOL .- The Commence ment of the Law Department of the New-York University was celebrated last evening, at the University Chapel, in the presence of a large audience of ludies and gentlemen. The exercises were opened with Prayer by Chancellor Ferris. Mr. Frederick B. Van Vleck was introduced and delivered the salutatory

Dissertations were then delivered by W. H. Aldridge, on "International Law:" Eugene Digges, on Common Carriers;" A. B. Gardner, on "Civil and Common Law;" "J. A. Geissenhainer, on "The Highway of Nations;" A: V. Meeks, on " Insurance; 4. M. Palmer, on "The Obloquy of the Law; " O. F. Shaw, on "Law of Mortgages;" J. S. Riker, on

The Advocate. The Valedictory Orution, a carefully-prepared one

was delivered by Ethan Allen. Chancellor Ferris, Prof Wedgewood, P. Y. Catler,

with other members of the Faculty, occupied the platform. The degree of Icgum Bacculaurci was conferred upon the following candidates:

Ethan Allen, A. M., Miles B. Androa, Wm. H. Brown Albert Gensieck George V. Collee, A. B., Henry S. Chatfield, Asa Eird Gardiner, A. B., J. A., Greissenhamer, A. B., Deniel L. Hart-wick, Alrent Victor Mesky, Geo. W. Morton, George Peckham, John Lakyette Riker, O. Fisher Shaw, A. Bi, Frederick B., Van Vleck, New York, Wm. A. Aldridge, Columbia, Texas; Daniel Clark, Hempstead, N. Y.; Zugene Dirges, A. B., Chas, Co., Md.; Wm. Wist Hewitt, Borton, Jesse, William P. Nicholla, Brook-lyn, N. Y.; Albert M. Pallow, Wakefield, R. L., Daniel W., Erewe, Birerbead, N. Y.; Lubert H. Striker, Hünois; John Wingste, Jr., A. M., Wolfbore, S. E.

The exercises were closed with a benediction.

SENATE ALBANY, March 20, 18 30. Mr. HAMMOND introduced a bill to incorporary E. C. Sanderson, Abram Brown, and ten others as a company to construct a railroad in Grand street, — ave-

nne, to Seventy-third street.

Mr. SPINOLA called up the concurrent resolution requesting the return from the Governor of the bill to prohibit Senday amusements in New York, and advocated the same on the ground that the bill was oppressive to a large body of worthy citizens. The resolution was adopted.

was adopted.

EVENING SESSION.

The bills relating to the sale and foreclosure of the New-York and Eric Railroad, and to extend Madison avenue in New-York, had progress.

ASSEMBLY.

The morning session was occupied in the third reading of bills. Several of private interest were passed, among the rest the following:

To authorize the laying of a double railroad track

To authorize the laying of a double railroad track in Brooklyn and Newtown.
To amend the Charter of the Youatt Lyceum.
To prevent the frandulent sale of passenger tickets on steamehips and other vessels.
To amend the act authorizing the formation of Town Insurance Companies by extending the time for filing the notice from five to twenty days.
To incorporate the Franklin Savings Bank of New-York

To incorporate the Kings County Dime Savings

EVENING SESSION. The bill to provide for the payment of interest on canal drafts, certificates, and awards, was passed. The Harlem River Free-Bridge bill came up for a third reading, and was laid on the table.

From Our Own Correspondent.

ALBANY, Tuesday, March 20, 1860. REGISTRY LAW.

Mr. Manierre has introduced a bill into the Senate to amend the Registry law of last session, which provides that the Inspectors of Election in each Election District of the City of New-York shall constitute a Board of Registry for such District, instead of the Board as now authorized to be appointed by the Board of Su-

pervisors.

The second section of the law of 1859 is amended by

The second section of the law of 1950 is amended by the addition of the following:

"In the City of New-York the names of the persons registered shall be arranged according to their residences by streets and numbers, instead of sliphabetically according to their surnames. If there he no street number to the residence of any such person, then the Inspectors shall note briefly the street and side of the street, and between what other streets it is situated; or, if such person reside on any island within the bounds of said city, the name thereof."

person reside on any island within the bounds of said city, the name thereof."

The third section is so amended as to require that the Board of Registers shall meet in the City of New-York two weeks preceding the day of the general or charter election in that city.

The fourth section of the present law is amended by adding the following:

"In the City of New-York, any person whose name is not entered on said list, and who cannot attend such meetings for revising and correcting said list, may require his rame to be entered thereon by thing with such inspectors at or before such meeting, an allidavit stating that he is a citizen of this State, a resident of such election district, and that he will be entitled to vote therein at the custing election, and also stating his residence as required by the first section of this sot, and the length of time he has tesided there, and the reason why he does not appear personally before such inspectors."

The following is proposed to be added to the 6th section:

The following is proposed to be added to the or section:

"In the City of New-York, the said lists, when fally conpleted, shall be published in one newspaper published in secity. Such published in an employment of the newspaper, and by parts, but it shall be made in a supplement of the newspaper, and by parts, but it shall be made in the numeric order of the Wards, and shall be concluded by the Wednesdap receding the election. It shall be awarded by said Superviso of the City and County of New-York to the newspaper offerit to publish the same for the least sum, the same to be ascertainty sealed proposals in the manner provided for awarding contacts under the charter of said city. In the case of any persone rate of the said house which we have been considered that the person recides at his alleged residence, and he shalls state the situation of the house which he himself ow as occupies in said district (and that he owns such house, or the head leased the whole of it for a period of at least one year, as occupies the same by virtue of such lease)."

COURTS IN THE CITY OF NEW-YORK. Mr. Ramsey has introduced four bills into the Senate to reorganize the Courts of the City of New-York, which provide for doubling the number of Judges in in the First District of the Supreme Court, in the Superior Court, the Marine Court, and the Court of Common Pleas: and also that the Judges be hereafter elected in the same manner in which the Board of Supervisors and Governors of the Alms-House are now chosen.

ough these bills were introduced by Mr. Ramgey. I believe they were invented by a New-York gen-tleman, who will probably have a good time in getting them enacted into laws.

them enacted into laws.

CITY RAILROADS.

The Senate bad an animated debate on the bill for a city railroad in Buffalo to-day, and finally reported progress. Speaking of railroads, reminds me that Senator Hammond introduced a bill to-day to authorize a railroad in the City of New-York. Mr. Hammond's bill incorporates Mesers. E. C. Sanderson, Abram Brown, Jerome Finch, A. Pomroy, S. R. Comstock, Preston Sheldon, Freeman Campbell, M. Pratt, Wm. Leuyeroft, L. A. Lockwood, H. A. Drum, and John West, with power to construct a railroad, commencing Wray with power to construct a railroad, commencing in Avenne C. at Fourth street, and running thence by single track to Third street, Lewis street, Grand street to Grand-street Ferry: thence through Grand street to Goerck: thence to Third; thence to Lewis; thence to Fourth street and Avenue C; thence with double track through Avenue C to Ninth street; thence with single track through Ninth street to Avenue B; thence to Tenth street. Also with single track in avenue C, from Ninth to Tenth street; thence through Tenth street to Avenue B; thence, with double track, through Avenue B to Fourteenth street; thence to Avenue A, thence to Twenty third street, thence to Second avenue, thence to Thirty-fourth street, thence Second avenue, thence to Forty-second street, thence to Broadway, thence to Fifty-ninth street; thence with single track, to Eleventh avenue, thence through Eleventh avenue to Sixtieth street, thence to Broad-way; thence to Fifty-ninth street, to connect with the double track. Also commencing at Twenty-third street in First avenue with double track, and running to Forty-second street to Third avenue. Also commence big at First avenue in Seventy second street, with duble track, thence to the easterly side of Fifth

Senator Robertson's bill in relation to the planting of oysters which make waters of this State, which makes all lands under water and below low-water mark belonging to the State free to all inhabitants of the State for the purpose of planting and growing oysters, under proper restrictions, was passed to-day, after a contest between Robertson and Spinola (the former for and the between Konertson and Spinoia (the former for and the letter against the bivalvulous measure), compared with which the quarrels of the "oyster-house critics" and the "oyster war in Accomac" were the merest child's play. Scrator Robertson is sound on the oyster ques-

UNCLAIMED DEPOSITS. When the bill to transfer to the custody of the State the unclaimed deposits of the Savings Banks of the State came up for its final reading, it was recommitted for amendment, was amended, and finally lost, 13 to

to 14. Mr. Truman moved a reconsideration, and that that motion lie on the table, which was carried. In the Assembly to-day, 25 local bills were read a third time and passed, among which was the Senate bill to protect travelers against ticket swindlers.

Nothing of moment will be done in either House this evening, as there is to be a joint caucus of the Repubicans of the Senate and Assembly at 8 o'clock.

DISCOVERY OF BONES .- Last evening, as some workmen were engaged excavating a cellar at No. 49 Bowery, they found a skeleton almost entire. The bones were carefully gathered up and taken to the Tenth Ward Station House, and await examination by the Coroner. On Saturday, the 18th of December, 1858, a destructive fire occurred in the vicinity of No 49 Bowery, several buildings being burned. Many persons who were at work on the premises met with narrow escapes, but it did not transpire at the time that any one perished in the flames. The foundation of No. 49 being uninjured, a new building was erected thereon, most of the rubbish being allowed to remain in the cellar. Recently men were engaged to clear out the cellar, and in the course of their work found the bones, some of which bear marks of fire.

THE STATES ISLAND RAILBOAD,-As we neared Simonson avenue, Clifton, on Saturday last, we observed a great crowd of men and boys, and a huge iron monster, which on a nearer inspection proved to be the locomotive and its tender. The locomotive has been locometive and its tender. The accommotive has been justly named after Albert Journeay, jr., esq., than whom ro one has more heartily given his time, abilities, and resources to advance and perfect the interests of the road. Monday morning, bright and early, saw the engine and two freight cars on the track. The locomotive was built at the Jersey City Works, and is comotive was built at the Jersey City
first-class, with all the latest improvements for burning
soft coal. The track of the road is being rapidly laid, and when the engine is in order, it is expected materially to facilitate the carrying backward and forward of materia's and men. A turn-table, near the castern terminus, is also nearly finished, and we shall expect soon to have a ride on the road.
(Richmond County Gazetta.

HIGHLY INTERESTING INTELLIGENCE.

President Buchanan Overhauled by Judge Cradlebaugh.

BOUNDARIES OF EXECUTIVE AND JUDICIAL POWER.

THE JUDGES IN UTAH IN REPLY TO ATTORNEY. GENERAL BLACK. GREAT SALT LAKE CITY, U. T., July 16, 1859.

SIR: We have received a communication from the

Hon. J. S. Black, Attorney-General for the United States, under date of 17th May, conveying an answer to our joint letter to your Excellency of the 7th April last. The tenor and conclusions of this reply make it necessary for us, in vindication of our official position, more fully to address you on the same subject. It was not our purpose to ambrace in our letter a full history of the Provo affair. We designed merely to state certain facts, peculiarly within the knowledge of the Judge who held the late term of the United States Court there, and to express an opinion as to the neces-sity for the force which was furnished by the Com-manding General in aid of the administration of the

sity for the force which was furnished by the Commanding General in aid of the administration of the law.

The military details had been fully reported by the General to the War Department, and we presumed would be laid before your Excellency.

According to the theory of our government, we have no official connections with the Executive, and we were careful to state that only the anomalous condition of affairs in this distracted Territory would justify us in communicating directly with the Chief Magistrate during our terms of office upon matters affecting the general honor and interests of the country.

We are in no wise subject to animadversions on our judicial conduct by the Attorney-General, nor to admonitions from any quarter. Our communication, however, has been made the basis for a reply embracing an opinion upon the matters involved both in their judicial and military relations, and we are informed that our letter had been carefully considered, as well as "all other advices relating to the same affair." Copies of the document were inclosed to the Governor and District-Attorney, and it has been extensively published throughout the country. A letter of the same date, to the Attorney, we find in The Constitution of the 11th June, conveying to him certain fristructions from the Attorney-General, and embrasing also comments on our judicial action in this Territory. No copy was inclosed to us, though we take this publication to be one authorized by the Attorney-General, and we shall beg leave to comment on it as an official paper in this connection.

The Attorney-General says:

paper in this connection.

The Attorney-General says:

paper in this connection.

The Attorney-General save:

"The condition of things in Utah made it extremely desirable that the Judges appointed for the Territory should confine themselves strictly within their own official spheres. The Government had a District-Attorney, who was charged with the duties of a public accurer, and a Marshal, who was responsible for the arrests and safe-keeping of criminals. For the Judges, there was nothing left except to hear patiently the causes brought before them and to determine them importally according to the evidence adduced on both sides. It did not seem either right or necessary to instruct you that these were to be the limits of your interference with the public affairs of the Territory, for the Executive never dictates to the Judicial Department."

If this language means to charge that we have not conformed to the reasonable expectation it expresses, the information upon which the Attorney-General bases the complaint certainly emanated from other than proper official sources, so far as we are informed; and come from whatever source it may, with all respect to your Excellency, we oppose to it our unqualified denial. On the 6th of March hast, Judge Cradlebaugh addressed a letter to the Commanding-General, requesting a detail of sufficient force to transmit certain prisoners then confined in the guard-house of the camp to the place of trial, and to keep them under guard until their cases could be disposed of. This is the only call which the Judge made upon the military "to aid him in the performance of his duties" during the whole affair. There was no public jail in the district, nor any provision by law, for the confinement and subsistence of prisoners charged with criminal offenses. Indeed, the whole design of the Legislature since the organization of the Territory, seems to have been aimed at the utter exclusion of the Federal authorities from other than no annal jurisdiction.

Two deserters who were then undergoing the

and authorities from other than nominal jurisdiction.

Two deserters who were then undergoing the pure Two deserters who were then
ishment adjudged by a military tribunal were called
for by a competent authority as witnesses for the Government in a criminal prosecution, arising under the
law of the United States against enticing the desertion law of the United States against enticing the desertion of soldiers. It was a military necessity that a sufficient guard should be sent with the witnesses, and Gan. Johnston has himself stated in his dispatches of the 31st of March, 1859, now on file in the War Department, that this movement was necessary, and that he should have felt it his duty to send over a military force, whether asked for by the Judge or not. The supporting command was sent forward by the commanding General, upon a report from Captain Heth, the statement of facts contained therein being concurred in by the Judge, and encamped, not in sight of the Court room, but four miles distant from Provo. It was not sent "soon afterward." Two weeks session of the Court had intervened. In the mean time the sentinels of the small camp at Provo had been abused and stoned by citizens there, and threatening demonstrations made, inducing a well-founded belief of medicated violence.

The troops at Provo did not surround the Court-House; they were encamped near and on one side of it, upon a lot which belonged to the house which had been rented by the United States Maraus of the Government. The ground was furnished by the Marshal, and they encamped there not only by his per-

mission but at his request.

In regard to the letter of Judge Cradlebaugh of the 6th March, the Attorney-General states that:

oth March, the Attorney-General states that:

"Besides, the matters upon which Judge Gradlebaugh's requisition bases itself, was one which which the Judge had no sort of official connection. It was the duty of the Marshal to see that the prisoners are selfly kept and forthcoming at the proper time. For aught that appears, the Marshal wanted no troops to aid him, and had no desire to see himself and his civil posse displaced by a regiment of soldiers. He made no complaint of weakness, and uttered no call for aesistance. Under such circumstances, it was a mistake of the Judge to interfere with the business at all."

At the time Judge Cradlebaugh requested the military gnard, the Marshal was not in the Hd Judicial District. He resides at Salt Lake City, and met the Court at Provo the first day of the term. The geographical features of the Territory are psculiar, embracing a suc-

trict. He rerides at Salt Lake City, and met the Court at Provo the first day of the term. The geographical features of the Territory are peculiar, embracing a succession of mountain-locked valleys, running hundreds of miles north and south, in which the settlements are situated. It is impossible for the Marshal, or any one of a reasonable number of deputies, to be on hand at all times attending the preliminary wants of the three Courts. Leaving this out of view, however, we cannot see that the Judge was out of his proper sphere in making his call; for surely it was "to aid him in the performance of his duties" that the troops were sent to convey the prisoners to the place of trial. Had there been no Marshal in Utah, surely the ends of justice ought not to have been defeated because—according to ought not to have been defeated because—according to the view of the Attorney-General—it was proper for him only to make the call. If the Marshal could make it a fortiori, the Judges, whose officer he is, end to whose authority he is subject, had the power to do so. Provo is fifty miles distant from Camp Floyd. In case a rescue had been attempted, it could have been effected long before the Marshal could have made his request to the Governor, his requisition been complied with, and the troops marched to the scene of resist-

The Governo resides at Salt Lake City, also fifty miles from Provo. The necessity arose, too, when the Marshal could not be conferred with in time to

the Marshal could not be conferred with in time to act. So far from this action having operated to supplant him, it had his warm concurrence and support, as hereafter will appear.

After the company under Capt. Heth reached Provo, the prisoners were delivered over to the Marshal as they were called for, he being in constant attendance on the Court, and when remanded were remanded to his custody, and by him delivered to the guard. He employed, on his own summons, the military guardhouses of the camp as a prison.

No prisoner, after he came before the Judge, was committed by militimus to any other custody than that

committed by millimus to any other custody than that of the Marshal. The Judge never made a call for the troops to act as a posse comitative—this call was made by the Marshal, in his own name and on his own re-sponibility, and the aid furnished and employed by him. The Marshal always advanced with a civil posse in his efforts to arrest, and the troops were so posted as to be enabled to afford aid to him in case resistance before or a rescue after arrest had been attempted.

The advices relating to the same affair forwarded by
the General Commanding, and on file in the War Department, show in ample detail all these facts to have
existed.

Moreover, long anterior to the sitting of the Court, the Judge had issued warrants to the Marshal for the apprehension of a number of persons, against whom silidavits had been made, charging various murders, and the Marshal made oath before the Judge, that he could not execute these warrants without military aid.

In December last, the Judge certified this sath to the Governor, and the Marshal requested him to

to the Governor, and the Marshal requested him to issue a requisition for troops for this service. The Governor compiled, and placed his requisition at the disporal of the Marshal. Afterward, changing his opinion, he withdrew it, and up to the time of the vitting of the Court, no arrests were made, or attempted. With what justice, then, can it be charged, in the face of these facts, that the Judge ever attempted "to "do the duties of a Marshal as well as his own." The Marshal did "want troops to aid him. He did "compisin of weakness;" he did "actor calls for "a six parter."

In respect to the construction which the Attorney-

General lays down as applicable to the instructions, is declively, of the Chief Executive of the Territory and the crumanding General, we submit that we have no concern whatever, nor can we admit his right to

no concern whatever, nor can we admit his right to reed as any lecture open them.

Nither of as had ever seen either set of instructions nor knew the purport of either, until after the Governor had visited the town of Provo, and all the military novements had been made which were maded during the whole affair. How then can we be held responsible for a proper interpretation of the meaning of these instructions, and section thereon conformable to the policy of the Administration? Jagges are not pretured to take cognizance of the Administrative policy. The instructions to each emanates from the Executive, through different channels only, contain his discione, and are purely matters of administration.

In the order of the 6th May, with a copy of which we have been furnished, modifying the instructions to the General, and stating that, "Peace being now restored to the Territory, the judicial administration of the laws will require no help from the army under this economical," the fidelity with which he has obeyed the instructions heretofore given him is specially commended. The conclusion from this is, that the military movements made by him have received the Executive approval, and that the technical

specially commended. The conclusion from this is, that the military movements made by him have received the Executive approval, and that the technical distinction between a "nummons not to be disobeyed," and a "requisition," was not taken. We are still unable to perceive any distinction, and conclude that the instructions were given to place material assistance at the disporal of the Courts, to nid them in the performance of their duties. If the original instructions did justify the giving aid to the Judiciary, and keeping it at Provo against the Governor's remonstrance, we do justify the giving aid to the Judiciary, and keeping it at Provo against the Governor's remonstrance, we do not perceive why soy modification of the General's instructions was necessary, nor why the proper rule of construction was not laid down, and corresponding action ordered. But this is a matter with which the Judiciary has nething to do whatever. It is a military question, which has been decided in favor of the General, and the decision communicated through the only Executive channel to which he can look. As to the instification which Judge Cradlebaugh has for his justification which Judge Cradlebaugh has for his action, we refer to the statements made in our latter of the 7th of April last, and "other advices relating to the same affair" on file in the War Department. Judges are presumed to know whether their Courts

the same affair" on file in the War Department.

Judges are prezumed to know whether their Courts needed aid better than those who have no concern in the administration of justice. The Court thought and still thinks the exigency justified the employment of the troops. The Governor, who came upon the spot and "made inquiries" of the very men whose crimes were being cisclosed, became convinced to the contrary. We think it was a matter with which he had "to sort of official connection," so long as the General's instructions were utmodified, and the Judiciary free from Executive dicustion.

free from Executive dicration.

Our views upon this subject are fully stated in the opinion of Judge McLean in the case of the United States agt. Guthrie, reported in 17 Howard, 284; and we take iron that opinion the following extracts to show the relation of independence which we sustain account the Governor. toward the Governor:

"It is argued that, as the President is bound to see the laws faithfully executed, the power to remove unfaithful or incompetent officers is necessary. This may be admitted to be a legiti-

show the relation of independence which we sustain toward the Governor:

"It is argued that, as the President is bound to see the laws faithfully executed, the power to remove unfaithful or incompetent officers is necessary. This may be admitted to be a legitimate argument, as commonly applied to Executive officers. My own view is, that the power to see that the laws are raithfully executed applies chelly to the giving effect to the decisions of the Courte when resisted by physical force. But however strongly this may refer to the political officer. But however strongly this may refer to the political officer. But however strongly this may refer to the political officer. But have not the nature of his office, the President must superintend the Executive department of the Government. But the Judiciary constitutes a coordinate branch of the Government, over which the President has no superintendence, and can exercise no control. So far from this Department being subject to the Executive, it may be called to pass on the legality of his acts. The President, like all other officers of the Government, is subject to the law, and cannot violate it with impunity. He is responsible for the infraction of private rights, and before a Territorial Court the same as before the other Courts of the Union. In no just and proper sense can the President be required to see that the Judicial power shall be carried out, except as controlling the physical power of the Linion.

"The effects of the control of the Judicial by the Executive power, are seen in the history of England, during the reign of the Stuarts. The most insupportable rynamy and corruption were realized under this paramount power of the Executive Government. This, in a great degree, arises from the extent of its power shall become the proper sense of the Judicial power and become realized under this paramount power of the Executive Government. This, in a great degree, arises from the extent of its powers and patings, and the formation of our Government. This, in a grea

The doctrine that the Executive of a Territory can make war and peace when he pleases, and holds in his hand the issues of life and death for thousands, is one political in its nature and strange to as. Its practical operation would overturn all our established notions of a separation of the powers of the Government—and convert an Executive, the legality of whose official acts is subject to judicial inquiry, and who is bound in all things by the Constitution and laws—into an emperor, whose will would be law and whose character that of a deepot. that of a despot. divisions of Government in the memorable struggles of

198, and the perils to personal liberty which the irsues of that day involved, we supposed had been finally condemned by the popular triumph of republican liberty, which soon afterward passed into our national

The announcement at this day, by the Attorney-General of the United States, of such principles tend-ing to a corsolidation of power in the Executive head, seems, in our judgment, to be a matter of high public

The Constitution declares that "Congress shall have power to declare war. But was there like making war in the proceedings at Provo

Was not a portion of the Army of the United States employed in Boston, without consultation with the Governor of Massachusetts, in the execution of the Fugitive Slave law on Anthony Burus, and the Federal troops employed in protecting the Court room of

Mus not a portion of the marine force stationed around the polls in Washington to protect the citizens in the exercise of the elective franchise, and did not

blood flow in the streets of that city?

Were not United States troops thrown about the polls in Kaussas, and did not the voters approaching the sailot-box—the fundamental source of republican government—pass through a file of soldiers?

In a letter to the Governor of Kansas, the Secretary f State, under date 27th Angast, 1857, says:

"The President approves the precautionary measures you ave adopted in calling into the vicinity of Lawrence a military ree, to act as a posse comitate to aid in the enforcement of the we should it be necessary."

"When a civil officer has reason to believe that process p this hands will be resisted by force, he has the right to or a said of such portions of the posses comitatus as he may cressary, and at this point may rightfully commence the a the unitary force." instructions to the General commanding the

roce here, it was distinctly stated:
"Should the Governor, Judges or Marshal of the Territory dit necessary directly to summons a part of your troops to dether in the performance of his duties, you will take care at the summons be promptly obeyed."

that the ammons be promptly obeyed."

We respecifully submit that the construction of these instructions is not a matter of civil inquiry or judicial judgment. Words employed in conveying orders to a solitary person are not, as a rule, to be restricted to a legal technical sense, but their meaning should be a secentaited by their popular use, and it would be a painful and cruel ordeal to require officers to confine their actions to so rigid an interpretation of language, the effects of which are to be subject to the scrutiny of an Attorner-General. They are subject to the military an Attorney General. They are subject to the military law, which is independent in its sphere, and a military Court might not accept the conclusions of an Attorney General's argument to show that a "summons" not to be disobessed, and a "requisition," are not convertible terms.

The General furnished under his instructions, the The General furnished under his instructions, the troops sent to Provo, and kept them there aga not the Governor's remot strance. The Secretary of War says that he has faithfully obeyed those instructions. Now, we would respectfully submit that there was nothing in this case to recommend the Mormons to greater favor than the people of Massachusetts. Kansas, and the people of the District of Columbia. The latter had not declared martial law and arrayed their whole military forces against the Government of the United States, they had not burned and plundered Government property, nor robbed nor imprisoned in dangeous States; they had not burness and punneered Government property, nor robbed nor imprisoned in dangeous fire citizens of the United States for the reason that they were citizens; for had they deluged their soil with the innocent blood of men, women and children. with the innocent blood of men, women and changen. The strong arm of the Government reaches into a State and other Territories of the Union; but in Utah, where with the greatest vigor it should be exercised, it is stricken down. the letter to the Atterney for the Territory, re-

La the letter to the Attorney for the Territory, referred to, the Attorney General states that "his refusions, on a former occasion, to violate the promise of "pardon contained in the President's proclamation," was equally praiseworthy and correct. This refers to a portion of the charge of the Judge of the Third District, delivered in Sait Lake City on the 224 November last, upon the subject of treason. The procisions of the President in that case was not disconnected extensive circulation among the people of the

garded, and the Judge distinctly called the attention of the Grand Jury to this proclamation, "to the coa-"dition of affairs then existing legality considered."

The Supreme Court of the United States, in the case of the United States agt. Wilson, 7 Peters, 150, fally quoted by the Judge in his charge, has laid down the law applicable to pardons, and the legal manner of taking the benefit of them. Upon the authority of that decision his defense would rest, if there were any power existing to call his judgment in question outside the regular course of appeal.

But it would seem that the approval of the action of the Attorney for the Territory proceeds upon the idea that his intervention arrested the action of the Judge and conformed it to the views of the Administration. Nothing can be further from the fact. The Attorney hot the grand Jury

Judge and conformed it to the views of the Administration. Nothing can be further from the fact. The Attorney could never have gone before the Grand Jury
without the consent of the Judge, for no principle is
better settled than that the Grand Jury is exclusively
under the control of the Court. And by reference
to the remarks made by the Attorney to the Grand
Jury, your Excellency will find this language:

"By permission of his bonar Judge Sinclair, I am permitted
here, publicly, to give you the resons why, as Prosecuting Attorney of the Unit ed States for this Territory, I have presented
before you no bills of indictment for treason at this Court."

In the decision quoted, the Supreme Court distinctly
says:

before you no bills of indictirent for treason at this Court."

In the decision quoted, the Supreme Court distinctly says:

"It is a constituent part of the judicial system, that the Judge sees only with judicial eyes, and anows nothing respecting any particular case of which he is not informed judicial. A private deed, not communicated to him, whatever may be its character, whether a pardon or release, is totally unknown, and cannot be acted co. The looseness which would be introduced into judicial proceedings would prove fatal to the great principles of justice, if the Judge might notice and not upon facts not brought regularly lato the cause. Such a proceeding, in ordinary cases, would subvert the best established principles and overturn those rules which have been settled by the wisdom of ages. Is there anything peculiar in a pardon which ought to distinguish it in this respect from other facts? We know of no legal principle which will sustain such a distinction.

The pardon may be absolute, or conditional. It may be controverted by the proceduring and must be expounded by the Court. These circumstances combine to show that this, like any other deed, ought to be brought judicially before the Court by plea, motion, or otherwise."

The proclamation of the President set out a state of facts which, if true, conatituted the crime of treason.

The Judge could judicially know nothing of these facts and considered it his duty, according to the rules laid down in Wilson's case, to call the attention of the Grand Jury to the subject. What then? The District-Attorney stated that it was not the desire of the Government to compel the pleading of the pardon.

If the decision of the Supreme Court is law, he (the Judge) stands justified; but whether he is or not, it is not for the Attorney-General in a letter to the prosecuting attorney of his Court to indulge in strictures upon his judicial conduct.

The results of the conference of the Peace Commissioners with the Mormon authorities were facts unknown to the Judge, nor h

written Constitution.

That view, however, seems to have been taken of

it by these people. Brigham Young, in a politico-re-ligious speech delivered in the Tabernacle on the 22d

the face of this earth; and in their dealings they have dealt with ware such."

The manner in which the proclamation is regarded here is shown by the following extracts taken from a late number of The Descret News, the official organ of the Mormon Church:

"Now, while we meat willingly award all due credit to Mr. Buchanau and his Administratration, we do exceedly protest gainst this increasant exciting by certain journals, over putting an end to the rebellion in Utah."

"It is asked: Did not the people of Utah resist the laws and authority of the Government? Our answer is a loud and emphatic No!"

"It is asked: Did not the people of Utah arm themselves authority of the Government?" Our answer is a loud and emphatic No!"

But, it is urged, did not the people of Utah arm themselves saint the authority of the Government? We again say, No!"

In respect to the Attorney for the Territory, the Attorney-General remarks:
"Think he has the follest confidence in the visitance, fidelity, and ability of that officer, but if we shall be of opinion that his duty is not performed with sufficient energy, our statement to that effect will receive the prompt attention of the President."

It affords us no pleasure to make complaints sayainst sny officer connected with us in the Government service in this distant Territory. We would prefer unity and harmony of action in the discharge of our several trusts; yet, as the Attorney-General invites our opinion as to the efficiency of the District Attorney, we have to say that, since his advent into this Territory last November, he has set on foot no criminal prosecution whatever, although abundant evidence is attainable of mayhems, marders, and robberles, sufficient in number and atrocity to mark the history of Utah for more than two years past as a record of rapine and bloed disgraceful to the age in which we live.

number and atrocity to mark the history of Ctan for more than two years past as a retord of rapine and blood, disgraceful to the age in which we live. Previous to the session of the Court at Provo, he did not set his foot in the district, except on one occasion, when he visited Camp Floyd on his own private busi-

when he can be seen and property, coupled with crimes rights of person and property, coupled with crimes committed by the Mormons during their rebellion, he appears as their counsel to vindicate their conduct.

At the last term for the 3d Judicial District, he placed the private papers of the Judge into the hands of a Mormon, who was afterward indicted at the same term for a criminal offense, and acquitted by a Mormon jury against all law and evidence. These papers (containing the private and uncorrected charge of the Judge to the Grand Jury) were published, the morning after they were placed in his hands, in The Deseret News—a maner which exerts all its power to bring into contempt the Federal Courts. He congratulated this offender at the close of the trial, by offering him his hand. His the Federal Courts. He congratulated this offender at the close of the trial, by offering him his hand. His prosecution was marked with neither vigilance nor ability.

His whole course of conduct has been marked by

His whole course of conduct has been marked by culpable timidity and neglect, and his relations with Mormons have been so objectionably manifested by his acts, that he has lost our confidence in his willingness and ability to discharge properly and firmly the duties of a public procedure in this Territory. Indeed, the Christians and Apostles from the Church, who m the Mormons here opprobriously call Gentiles, will not trust their complaint to his keeping, and seek out the Judges to institute preliminary proceedings without his

The Attorney-General says in his letter to the Dis-trict-Attorney, that "It is his duty to commence and "carry on all public prosecutions," and that "he must "oppose the effort that any Judge may make to usurp "his functions," &c. No Judge have has attempted what is here implied. Two criminal cases only, one in each district, have gone to Judes since the reopening of the Court here. The crimes charged were offenses against the United States. Both prisoners were acquitted, and in each case the Attorney prepared the indistrict, and presented in Court

numerous warrants have been issued for the apprehension of criminals upon affidavits made by person who have voluntarily presented themselves to institute prosecutions, all of which remain unexecuted. The Judge in these cases acted as committing magistrate, a duty enjoined on him by the peculiar condition of affairs. We have yet to learn that in such cases the Judges must consult the Attorney before issuing his warrants; and especially when it may take days to reach him, does this idea seem absurd.

The duty of the Judge in this matter is enjoined by the Revised Laws of this Territory—chapter 33, addenda, section 3.

nua, section 3.
When a complaint is made under oath that an offense has
a committed, the Justice of Judge shall issue an order rering an officer to take all requisite steps to bring the offender The District-Attorney may open in the preliminary

examinations if he pleases, but surely he has no control over the Judge in the matter. When a prisoner has been put on trial the attorney should appear and prosecute, and in no instance has he been denied appearance, or dictated to in the discharge of his duty. All statements to the contrary are unqualifiedly false. The advice of the Attorney-General to him was

therefore it necessary from anything that has yet trans-pared, and the reflection which it casts upon the Judges was as injust as it was unwarranted. The Attorney-General is not our teacher: appeals from our judgment do not go to him, nor is he our trier on impeachment. The Courts, even when aided by the military power, were able to been uponly a semblance of federal au-

were able to keep up only a semblance of federal authority. Now, not only oan no arrests be made, but the Executive of the Territory states that his only relithe Executive of the Territory states that his only reli-acce is that the Church authorities may deliver up the numerous persons charged with crime for whom war-rants have been issued, including these who partici-pated in the herrid massacre at the Mountain Meadows. Indeed, so far have matters proceeded, that propo-ritions have actually been made through the Governor to the Judges for a surrender by the Church of the fugitives, upon condition that the Judges shall have a certain understanding with them as to the constitution of their juries. Of course, all such approaches are in-cignantly spurned.

of their juries. Of course, an actu approaches are midignantly spurned.

In conclusion, we feel it our duty to protest against the action of the Attorney-General, in promulgating to the people of this Territory these documents, so catculated to impair the influence and respect which the Judiciary ought here, above all other places, to exercice and maintain.

We stand upon the full history of our judicial conduct, against all misrepresentations and aspersions which may be made against us; and we trust that, with these further explanations to your Eventhance.

United States, and are calculated to injure us in their estimation of our official acti-time complicate these embarra-ing public this communication.

REE BAYS LATER FROM EUROPE, I

FIRES.

FIRE IN GERENWICH STREET-SUSPICION OF ARSON

MAN SURNED.

Last night, about 8 o'clock, a fire broke out in the grocery store of J. Morton, No. 223 Greenwich street, and thence extended to another crockery store adjoining, kept by C. Morisett. Both stores are in the same building, and are separated by a wooden partition, the store of Morton being on the corner of Greenwich and Barclay streets. From appearance, the fire originated in the corner store, which Morisett says had been closed by the proprietor half an hour before the alarma was given. was given.

Morisett further says that the first intimation he had

Morisett further says that the first intimation he had of the fire was the bursting through the partition of a strong body of flames. At the time he was engaged to selling some goods, and was ready to shut up aloop as soon as the customers went away, his shutters having been closed. A man named Jobu Larashell, who was occasionally engaged in the corner store, happening in the neighborhood, rushed into Morisett's store, and while attempting to extinguish the flumes his clothes took fire, burning him so badly that his life is despaired of. He was taken to the Hospital. It was said that Larashell had so me highly inflammable material about his person, and the officer who revoved him to the Hospital said that his boots appeared wet with camphene. Morisett is insured for \$,000 in the Williamsburgh City Insurance Co., and Morton for \$5,000 in acity companies.

burgh City Insurance Co., and Morton for \$5,000 in sity companies.

The stock in the corner store was almost entirely destroyed, and the building was damaged to the amount of \$200. Several persons were taken to the Third-Ward Station by the Police, in order to give Fire-Masshal Baker an opportunity of investigating the matter. The matter, as to the origin of the fire, is enveloped in mystery, but strong suspicious are entertained that it was the work of an incendiary.

FIRE IN EAST THIRTEENTH STREET.

At 11½ o'clock last night, a fire broke out in a frame stable rear of No. 265-East Thirteenth street, and before the flames could be subdued the building was nearly destroyed. It was owned and occupied by Owen Bagley. A frame dwelling house in the rear of No. 247-East Twelfth street was slightly damaged. The origin of the fire is unknown, but is supposed to have been the work of an incendiary. Total damage about \$500.

FIRE AT JAMAICA, L. L.

About \$500.

FIRE AT JANAICA, L. I.

Vesterday morning about 6 o'clock a fire broke out in the stables belonging to the American Hotel, at Jamesica. Before it was discovered, it had made considerable progrees. About 6j o'clock some persons were on their way to the cars, when they observed the smoke and the flames. By this time the fire had spread t the stables in the rear of Drisland's Hotel, in which was a valuable horse, the property of Mr. Samuel Davis. The stables and the horse were consumed. The flames continued to spread, notwithstanding the efforts which were made to quell them, and reached the American Hotel, owned by Mr. George Tooker. But a short time clapsed, when the whole building was reduced to ashes.

By this time the flames had communicated to the house of Neptune Engine Company No. 2, and the dwelling house owned by Mr. George Remsen, and occupied by Dr. Charles W. Stevens, dentist, both of which yielded to the devastating flames in a short time. FIRE AT JAMAICA, L. L.

ime.
A large portion of the furniture in the various buildings was saved.

The total lose to buildings and furniture is estimated at not less than \$15,000.

Mr. Tooker of the American Hotel is fully insured in

Mr. Tooker of the American Hotel is fully insured in the Citizens' Insurance Company of New-York. The excitement throughout the village and sur-rounding country for several miles in consequence of the conflagration, was very great.

Bull's Head.-The opening price of beef cattle in market this week was from a half to one cent a pound net higher than it was on the first day of the market last week. The first sales of Tussday morning of such cattle as are required by the first-class retail market butchers were made pretty readily at 101 @11c. net a pound. Those of one grade below tip-top, such as good fat exen and well-fed steers, but a little rough, sold at 10 2 10 c. quite as readily as they sold the week previous at 9 a 10c. There was also an advanabout ic. a pound apon the lower and me and sales were tolerably brisk two or three hours, and then there was quit a lull. The butchers, having supplied their most pressing wants, seemed disposed to we're ror the brokers to come down in their views; and so the business dragged on through some of the best The drovers and brokers, knowing that the supply was very much smaller than last week, held on pretty stiff, and consequently, although there were only some 2,200 head yarded, there will be a pretty fair portion of them for sale to-day. The general average quality of the stock is better this week than last. The weather was mild, with rain in prospect. We have not seen the drovers wear such smiling faces for a long time as they did all day yesterday, and for a very good reason averaged something li best cattle higher than they did a week ago, and the more ordinary kinds from \$5 to \$7 higher. Last week the sales of the second day were considerably better for drovers than the first. The prospects yesterday were that that would not be repeated; yet, owing to the small supply all will be sold at an advance. Particulars of the sales and state of the market of all kinds of butchers' aui-

mals will be given in the market reports to-morrow.

MINOR CITY ITEMS .- Wendell Phillips will speak at

the Cooper Institute this evening upon the subject with which his name has been so long associated—"Agita-tion Indispensable to Reform." Dr. Cheever will preside on the occasion The new iron steamship Matanzas, hence on the 8th inst., arrived at Matanzas on the 14th inst. This is her first trip, and realizes the anticipations of those interested ... The Controller has decided to appropriate the unoccupied rooms owned by the city in Essex-Market building, for the use of the Eastern Dispensary. He severtised several days ago, pursuant to the directions of the Common Conneil, for a new building, but only two olds were received, and the locations proposed in both cases were considered undesirable Mrs. John Wood and Mr. A. H. Davenport sailed on Monday for New Orleans to play an engagement of two months, after which they return to the Winter Garden for the Summer season . . . About three months ago a company was formed in this city to purchase the silver mines of Don Ignacio Arriola in Setentriou, Chihuahus, Mexico. On the 5th inst. the Superintendent, Mr. Cutler Chipman, left in the Baltic with some forty or fifty tone of machinery, and yesterday Mr. Robert H. Belden sailed in the North Star as the Commercial Agent of the company Spring commenced vesterday afternoon. The sun crossed the Eq 3:57 p. m., and in accordance with the usual habits of the weather, we may look for a storm. The lowering aspect of the clouds for the past two daye, the East wind and the chilly dampness that pervades everything, are sufficient indications that a storm is not distant.... Dr. Horace Green, who has been President of the Faculty of the New-York Medical College in Thirteenth street, since its organization, has resigned that position—the resignation to take effect at the close of the present course of lectures. Dr. Green assigns as a reason for this step, that his laborious professional duties, his duty to a large family, and a due regard to his health, will not allow him to pay proper attention to the College Mr. Corlies, one of the Commissioners for building the new City Hall, holds a contract to build a new Washington Market. Plans for the strusture were adopted some four years since, but for some

nnexplained reason they have never been carried out ... A detatebment of about 550 men (cavalry) will be sent from this port on the steamer Granada, to-day, under the command of Captain J. N. Palmer, acc nied by Captaire Charles J. Whiting and Nathan Evans, all of the 2d Cavalry; Lieuts. A. P. Porter, of the 2d Cavalry, and S. F. Chapin, of the 1st Artitlery. About one-fourth of the detachment will land at Indianola, Texas, and the destination of the remai Brazos Santiago. The troops were drafted from Governor's Island.

FOUND DROWNED .- The body of an unknown man was found floating in the river at the foot of Warren street on Monday afternoon. Coroner Schirmer held an inquest on the body, but no olue to his identity could be obtained.